THE New Republic

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An Editorial

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JUNE 30, 1958

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Washington Wire

Consider the Facts

WE WATCHED Sherman Adams last week sit ramrod-stiff for his public humiliation in the great cream-yellow barn of a House caucus room as big as an airplane hangar. Here was the mysterious, rarely-seen Adams—small, white-haired, ascetic; muscular proud face, a gnome-like man with a square jaw. He came prepared to admit that he had been "a little imprudent" and he was prepared to die, apparently, before he would go an inch beyond that. We are inclined to believe he is sincere in this attitude, too, for it is his extraordinary insensitivity rather than his deeds that tell the story.

Curiously enough the mood of the affair was sad, poignant, transcending politics, transcending Sherman Adams even. For who can see pride humbled without a tear or watch mistakes exposed without being himself in the dock? There was an odd kindness about the committee — the kindness of the death call. The great moment came when Rep. John Moss (D, Cal.)—not tauntingly and almost as though it were driven out of him unwillingly—recalled to Adams the "whiplash" of the Republicans' smug charges in the 1952 campaign against the Democrats.

Adams sounded crisp and cool and almost plausible. But consider these additional facts. (1) Adams professed to tell the whole story in his public statement June 12, and Press Secretary Hagerty next day announced that he had given "all the facts"—subsequent to which came word of the $2,400 Oriental rug, the vicuna coat, and, even in the very committee room, of hospitality at the Waldorf-Astoria! (2) Adams said the rug was a "loan" from Goldfine; an interview in the *Washington Star*, Dec. 28, 1954, with Mrs. Adams, told of the "immense" oriental rug she had "just purchased." (3) Adams' explanation that he thought the shifting Boston hotel suites were rented permanently by Goldfine became ridiculous when the New York hotel suite was added. (4) And how can anyone believe—or believe Adams believes—that his telephone calls to regulatory agencies (many of whose members he selected) would not have "influence," or that his securing of information (in violation of rules) would not benefit his client (Hagerty says Goldfine already "had" the information; in that case, why ask Adams to get it?)

The scene shifts to the Eisenhower press conference and the heartfelt comment, "I need him." When all else is forgotten of this Administration that poignant cry may be remembered. It summarizes all the desolate story of delegated powers, lack of leadership and inadequacy.

Administration defenders are raising the *tu quoque* red herring that Congressmen also exert pressure and take junkets. Obviously Congressmen should mend their ways, but the analogy falls on its face. Congressmen are elected; Adams is not. They don't appoint regulatory commissioners; Adams does. They don't throw moral thunderbolts from Eisenhower's elbow; Adams does. They don't take sanctuary from the press in the White House; Adams does.

The Pending "Imperatives"

WHAT IS HAPPENING NOW is the slow, dreadful realization of the public that the Adams affair isn't merely a lively Washington drama which doesn't affect it but something that concerns us all. The longer Eisenhower clings to Adams and condones him, the more his own moral authority oozes out. This moral authority is Eisenhower's great gift. None of us benefits to see an Administration collapse. For all his faults Eisenhower has urged valuable bills: his three pending "imperatives"—Pentagon reorganization, foreign aid and reciprocal trade extension—are all strongly backed by the White House. On those occasions when Eisenhower exerts a positive authority and when he makes his appeal bipartisan and when it concerns world affairs or defense, he (or any President) commands enormous influence. The Sherman Adams case strikes at this precious influence because it develops cynicism, and it is alarming now because the world situation is deteriorating. As we write this we know of no single reporter who believes Adams will stay.

Change in the Wind

KHRUSHCHEV crossed the blood line in executing Hungarian Premier Nagy. He had gone five years with purges. There are other signs that the Kremlin is ready to throw its weight around. It organized a Moscow counter-demonstration against the Danes—childish, in a sense, but ominous in its disregard of world opinion; it has abruptly stiffened its attitude toward a Summit meeting. . . . Remember that Moscow now has a Sputnik 100 times bigger than ours; that the Middle East is a tinderbox.

Senator William Fulbright (D, Ark.) warned in a powerful foreign policy speech, June 20, that "our policies are in a straight jacket," that our "military Maginot line is being flanked and enveloped by the economic, cultural, political, scientific and educational offenses of the Soviet Union." Take the Middle East: when the British pulled out Truman quickly extemporized his Greek-Turkey aid program; but after Eisenhower prodded British-French withdrawal from Suez he had no plan or program to fill the power vacuum. Communist influence rushed in. It was typical of Administration negativism.

America's world moral position is questioned again by US District Judge Lemley's decision in Little Rock. Eisenhower first intervened violently in Little Rock—had no imaginative program to follow it up. Judge Lemley "has yielded to the threat of mob violence," commented Senator Paul Douglas. "I have never understood that mob violence took precedence over the law of the US."

Notes

SEN. JACK KENNEDY (D, Mass.) made a fine fight for his moderate labor bill and got it through the Senate; the Democrats would be wise to put it through the House. . . . The last of the men purged by Joe McCarthy at Fort Monmouth, N. J., has been offered his job back; every person suspended as a security risk in those days of madness has finally won vindication.

T.R.B.

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Correspondence

► *Science and the Humanities*

SIRS:

I AM a new subscriber to *NR* and now after reading Karl Shapiro's article "Why Out-Russia Russia?" (*NR*, June 9) I believe I made a mistake. It is not the controversial point of view nor the intensity of his writing—which I can re-

(Continued on page 23)

Dizziness in Moscow

MR. KHRUSHCHEV has become dizzy before reaching the diplomatic summit to which he so long aspired; and it is not success that has turned his head and diverted him from so promising a track, but the smell of blood—once so familiar but all but denied him in recent years. The execution of Imre Nagy and his associates is not just one more tragic incident in the continuing crisis of Russia's European empire; the deaths mark the point where the renewed flare-up of that crisis has involved unforeseen consequences for Soviet-Chinese relations, for Soviet policies toward the West and also for the internal relations within the Soviet leadership.

It is not easy to disentangle the strands that have gone into the making of the present crisis. The first, consisting of the ideological dispute between Moscow and Belgrade with its vital practical implications for the unity and discipline of the Soviet bloc, can be traced back clearly to last autumn. The Soviet leaders had by then decided to reassert their own authority as the leading force of world Communism at the November conference in Moscow. When the Yugoslavs refused to submit and the Soviets nevertheless went ahead to redefine orthodoxy by a joint declaration of all other ruling Communist parties, it became inevitable that now the Yugoslavs in their turn would have to codify their "revisionist" deviations in the long-promised party program, so as to justify their continued ideological and political independence; and this in turn was bound to provoke uncompromising Soviet criticism leading eventually to a solemn renewal of ideological excommunication. Yet both Tito and Khrushchev desired that the renewal of the ideological breach should not be allowed to lead to a repetition of "Stalinist" threats and boycotts against the neutral Yugoslav state, which would be incompatible with the post-Stalin tactics of "co-existence"; and as late as the end of April, while the Yugoslavs were clearly announcing their ideological defiance of Soviet authority at their congress, the Russian leaders assured the world that this was a "family dispute" and not the prelude to "another 1948." But on May 9, following a meeting of the Central Committee of the Soviet Communist Party, *Pravda* rejected as a "platitude" the idea that state relations could remain unaffected by an ideological disagreement that proved intractable. *Pravda* taunted the Yugoslavs with their acceptance of US economic aid and threatened a withdrawal of Soviet credits which have since been in fact "suspended."

In between, the second strand in the skein had become visible: On May 5—the eve of the Soviet Central Committee session—the Chinese Communist Party daily had attacked the Yugoslav leaders as "sycophants of the American imperialists" who acted "against the interests of the Yugoslav people," and had recalled not only Yugoslav support for "the renegade group of Imre Nagy," but the resolution by which Titoists were expelled from the Cominform in 1948. That this resolution has been "basically correct" and only Stalin's methods of implementation had been wrong,

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had indeed been the *internal* position of the Soviet leaders, including Khrushchev himself, all the time; but for diplomatic reasons they had refrained from publicly saying so. Now they had their hands forced by the Chinese, who a fortnight later endorsed this first article by an even more strongly worded resolution of their party congress—even while delegates of all ruling Communist parties were once again assembled in Moscow, and, though unanimous in condemning the Yugoslav ideological heresies, were unable to argue on a common formula for doing so.

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Why, then, should the Chinese Communists, less immediately concerned than the Russians with the dangers of Yugoslav heresies for the unity of the Soviet bloc, have pushed toward more extreme forms of condemnation than the Russians originally envisaged? Why should they insist that the Yugoslavs be treated not as non-Communist neutrals, but as agents of the American enemy? A clue to the answer—and this is the third strand—may be found in the persistent emphasis in the Chinese documents that good relations with the United States are suspect in themselves, and that to put any hope in the "US-dominated United Nations" is treason. This is not the language of Moscow's "coexistence" campaign in general, and of the call for a "Summit conference" in particular; nor does it harmonize at all with Mr. Khrushchev's recent proposals for financing Soviet industrial expansion in part by American credits, as President Tito has been quick to point out.

But the crucial fact in this contest is the statement made on May 12 by Marshal Chen Yi, the Chinese foreign minister, that Communist China intends to equip her forces with nuclear weapons—a statement not commented on in Moscow. Clearly, the Chinese Communists will not be inclined in the circumstances to accept an international inspection system to enforce an agreed ban on nuclear tests; but Mr. Khrushchev has declared his willingness to send experts to a discussion on such a system—without asking for Chinese participation! It looks as if the Chinese Communists had reason to worry about the possible results of Russian "Summit diplomacy"—and as if they were deliberately using the campaign against the Yugoslav heresy to discredit not only Yugoslav "neutralism," but Moscow's coexistence feelers as well.

Until the end of last month, the Russians followed the Chinese lead in sharpening the attack on the Yugoslavs—"the postponement" of credits was announced on May 27—but showed no signs of modifying their general pre-Summit policy. On the contrary, the idea of asking for American credits in the form of a generous Soviet "offer" of markets to the crisis-stricken capitalist economy was launched; a meeting of experts on test controls was accepted after the last Central Committee meeting, and after the Moscow conference of the Warsaw Pact states passed a long and solemn pre-Summit declaration in deliberately reasonable language, including the announcement of a withdrawal of Soviet troops from Rumania and of further cuts in satellite forces. Now, following Khrushchev's Sofia attack on the Yugoslavs, we have had the deliberate shock administered to world opinion by the announcement of the Budapest executions, the June 22 declaration by the Czechoslovakian Communist Party that it intends to "wipe out all attempts" at impeding the Party's program and will now strengthen its army and security forces, and the calling home of the most important Soviet Ambassadors for consultation—all this accompanied by new letters from Mr. Khrushchev which seem designed to fix the blame for the failure to hold a Summit conference rather than to prepare the ground for one.

But if that impression is right it points to a crisis within the Soviet leadership as well; for Mr. Khrushchev, having had publicly to admit the dismal failure of his highly personal initiative for bringing Tito back into line at a heavy cost in Soviet prestige and discipline, would suffer a further blow if his equally personal campaign for a Summit meeting had to be abandoned—and that at a time when his major domestic reforms, such as the decentralization of industry and the sale of the state-owned machines and tractors to the collective farms, are not yet assured of success by any means.

This, then, is the fourth and last strand in the skein: the pointers to a crisis in Mr. Khrushchev's personal authority. It does not necessarily follow that he is yielding to the pressure of a powerful opposition group within the Soviet party leadership, rather than to diplomatic pressure from Peking and inarticulate mutterings within the party: on the contrary, all we know is that there are no rivals left in control of potentially independent power machines. In a totalitarian system, a leader in such a position, rather than resigning in response to the failure of his policies, may switch the policies and purge the critics at the same time: Stalin reacted to the collapse of his alliance with Chiang in 1927 banishing Trotsky, and Khrushchev himself purged Molotov after the October events of 1956 had given substance to the latter's warnings against "liberalization" within the Soviet empire. He may well be able to shift the blame for his failures to somebody else—provided he can silence the scapegoat.

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It is in that context that the indictment of Imre Nagy assumes its full significance: Here, all the strands are intertwined. The alleged proofs of Nagy's continued "counter-revolutionary" activity while being sheltered in the Yugoslav Embassy after the reentry of Soviet troops into Budapest may be used to "unmask" Yugoslavia's "provocative" role—just as the Rajk trial was used nine years ago. The campaign against "Imperialist interven-

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tion" may provide the cover for a Soviet withdrawal from pre-Summit commitments. And finally, the fact that the principal exponent of doctrinaire rigidity within the Soviet party presidium, Mikhail Suslov, and the principal "idea man" for political and economic flexibility, Anastas Mikoyan, were both negotiating with Nagy in the critical days of the Hungarian revolution could now be used to purge either or both according to need, provided they can be denied a chance to point out that they got their instructions from Khrushchev, and thus to fix the blame on him.

Some may object that this analysis of present-day possibilities follows too closely the model of Stalin's times. Much, of course, has changed. But the single party pyramid which keeps all aspects of life under its centralized control is still there; the cult of the leader is booming again; and the power of the secret police, though less visible in daily life, remains unbroken. Stalin's ghost, if he gets the news in his particular posthumous abode, must have rubbed his hands with glee at the announcement of the Nagy "trial": the "blind young kittens" he left behind are rapidly becoming full-fledged beasts of prey, and what they can do in Hungary they can do at home.

The Court on the Right to a Passport

ON DECISION MONDAY, June 16, the Supreme Court held that the Secretary of State's practice of denying passports to persons he suspects of Communist or similar affiliations inimical to his policy is unauthorized by currently applicable statutes and must be discontinued. In speaking to this problem, the Court has no doubt succeeded in enraging those who have approved of the State Department's practice—and it was the practice of Mr. Acheson no less than it has been Mr. Dulles'—without quite satisfying those who have most heatedly deplored it. For although it called a halt, the Court did so without directly invoking the Constitution, and the halt is therefore not necessarily wholesale or permanent.

Yet while it thus fell, so to speak, between the stools of public opinion—which should be and is the least of its concerns—the Court in the *Passport Cases* wisely and fittingly exercised one of its classic functions. Instead of rushing at its first opportunity to strike a constitutional balance between conflicting claims of national security and personal freedom, it handed back the issue to the legislative and executive branches for an orderly, deliberate and formal determination by them in the first instance.

The statutes under which the Secretary of State has acted in denying passports say no more than that he "may" issue passports under such regulations as the President may authorize, and that in times of emergency declared by the President, no citizen shall go abroad without a passport. The word "may" normally means that the enforcing officer also may not, and in this fashion the Secretary's authority has been made out.

Many a grant of power to executive officials rests on a no more elaborate or explicit basis, and has nevertheless been, or would be, upheld by the Court. Morover, as Justice Clark's dissent in the *Passport Cases* points out Congress can scarcely be thought to have been unaware of the manner of the Secretary's exercise of authority in recent years, and yet it has reenacted the relevant statutes (they date back several decades) with no attempt to place any restrictions on him. Indeed, there are fairly authoritative, if informal, indications of Congressional approval. What business is it then of the Court's—unless it is able to find the practice unconstitutional—to interfere? Are we not here in the presence of that most dreaded of social diseases, judicial legislation?

The answer, which is illustrated by the decision in the *Passport Cases,* is as follows: The Court's first concern in passing on the exercise of administrative powers delegated by statute is to inquire into the importance of the decisions that have been left to the administrative official, their reach and the degree to which they are apt to impinge on constitutional rights, even though in the particular instance no violation of such rights may have occurred. For it is only common sense to require a more explicit, more detailed delegation from Congress in matters that are capable of reaching constitutional proportions than in those that are not. To do so is to ensure that Congress itself lays down as much of the applicable policy as possible, and thus to foster responsible and hence effective government, afflicted neither with administrative arbitrariness nor administrative paralysis.

Determination of the importance of the decisions that Congress has left unmade and has delegated to the executive involves the Court of course in a value judgment. In the *Passport Cases* this was easy, because the Solicitor General, that unsung but scrupulously high-minded official, Mr. J. Lee Rankin, readily conceded on behalf of the government that the right to travel, though subject to some restrictions, should in many circumstances enjoy Constitutional protection. That being so, it was a step of no great difficulty for the Court to hold that the word "may" constituted an insufficiently explicit, insufficiently deliberate and insufficiently formal adoption by Congress of the policy that travel should be restricted in the interest of national security on the basis of a person's opinions and associations. Nor was it hard for the Court to indicate further that if such a legislative policy was to be assumed, the little word "may" offered insufficient guidelines to the Secretary for the disposition of individual cases.

The same basic principles and the same traditional judicial craftsmanship dictated the Court's action in the *Watkins* case of last year, in which the Court held that if Congressional committees are to inquire widely into

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Man overboard

associations and beliefs, Congress must explicitly authorize them to do so; in the recent *Harmon* case, in which, again pursuant to a concession by the Solicitor General, the Court held that the Secretary of the Army had exceeded his statutory authority when he based discharges other than honorable on pre-induction "subversive" activities by soldiers whose service was otherwise unexceptionable; and in a whole line of deportation cases in which the Administration cheerfully tried to apply the rigors of the McCarran-Walter Immigration Act with the utmost brutality.

Such rulings as these throw the ball back to Congress. Thus they do not raise doubts of the sort that Judge Learned Hand has recently voiced about the Court—"a bevy of Platonic Guardians"—arrogating to itself the final say on issues concerning which reasonable men may differ, and the Constitution is, in any textual or historical sense, silent.

In the matter of passports, it is now open to Congress to define more closely the requirements of security and of an effective foreign policy, and to delegate corresponding authority to the executive. Constitutional issues (especially those concerning the use of confidential information) may yet arise. But for now they remain open, and if Congress, the President, and public opinion exercise restraint and a sense of proportion, such issues may never need to be decided. Which is a lack of consummation devoutly to be desired, as those constitutional rights are the most secure that do not need enforcement in court.

"Take Back Your Mink"

THE Adams Case will no doubt lead Congress to tighten the laws governing the federal regulatory agencies to make it harder in future to influence improperly the commissions. However, the matter of gift giving and receiving which that case has reopened will not be so easily—or so readily—resolved. The President has a fatalistic view of the matter. (Indeed his attitude toward the blessedness of receiving has no doubt been a stimulus to givers.) And Congressmen, stained with the original sin of owing elections to campaign gifts, approach the subject half-guiltily.

The initiative, however, does not lie with Congress. In the shadow world where virtue and propriety reside, legislation cannot be the arbiter. The good example is what is needed. And that example, to be compelling, must come from above. The "environing atmosphere," as Clifford Durr reminds us (see page 8) is all-important.

A good start would be for the President himself to adopt a more self-denying attitude toward gifts: No more purebred heifers, Berkshire hogs, Arabian fillies, Greenhouses, groves of trees, cultivators, or $4,000 tractors—to name a few of the hundreds of items he has accepted for his personal use since 1953. Of course, he could not forbid or prevent people from sending gifts. That would be as impractical as it would be ungracious, but he could receive them as President, not as Dwight D. Eisenhower, and thereupon donate them to appropriate institutions or charities. Congress might be inspired by that example to set up its own system for disposing of presents sent its members. If it takes higher salaries for federal employees to live without such outside bounty, then let's pay them. And if it takes federally subsidized national elections to eliminate the special consideration that goes with large campaign contributions, let's have that too.

Voices of Silence

NEW EVIDENCE—in his own handwriting—linking the dead pilot Gerald Murphy to the unexplained disappearance of Professor Jesus de Galindez permits us to substitute "probably was" for the State Department conclusion last May that Murphy "may have been" connected with the Galindez case. The late Mr. Murphy's notes also implicate Dominican Republic dictator Trujillo more deeply in what we must now assume was the kidnapping—and perhaps murder—of a Trujillo enemy-in-exile.

The comment on this new evidence of lawyer Morris Ernst, whose recent Trujillo-financed report denied any connection between the Galindez disappearance and either Murphy or Trujillo, is no comment. Likewise, no note

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of moral outrage has been sounded by the Vice President, who on his return from Latin America urged us all to forswear friendship for dictators and give democrats (in Central and South America) a "warm embrace." We have heard nothing, either, from Mr. Nixon's friend Helen Reid, publisher of *The New York Herald Tribune,* whose paper two Sundays ago published a 47-page Progress Report on the Dominican Republic's "27 years of stability" and didn't bother to label it a paid advertisement.

Reuther's Gamble

IT IS a paradox that the group of workers in deepest trouble today—the auto workers—should be among the elite of the American labor movement, employed in the high-technology sector of American industry. It is paradox too that the auto industry, whose lead-time is two-and-a-half to three years, has so rigidly geared itself to a pattern of annual styling that while the 1958 cars have run only half their course and are a drug on the market, another year of still-more-gaudy models has to be lived through before any attempt can be made to meet the actual market.

In deciding to work without a contract (John L. Lewis must be chuckling in his Alexandria library), Mr. Reuther is taking a calculated risk. How does a union collect dues without a check-off? How can UAW splinter factions be kept under control? Can Mr. Reuther intervene successfully in damping down local explosions and quickie strikes which might start a cycle of management retaliation and further trouble?

In addition to the unemployment which UAW members have already undergone, (employment in the auto industry has fallen more than 200,000 below the level of December, 1956) further layoffs during coming model changes are inevitable, and while no open union-busting initiative by management is likely, the companies are certain to aid and abet any tendency toward the erosion of Mr. Reuther's prestige.

The Rosenberg Case

FIVE YEARS ago last week the United States executed Julius and Ethel Rosenberg for transmitting to the Soviet Union certain information concerning military uses of atomic energy. Thus was concluded a case that can never be finished, precisely because of the manner of the conclusion.

Three American cases of the past decade, three occasions when with the greatest fanfare the fury of the cold war was visited on individual Americans, rest uneasily on the conscience. In the Alger Hiss case, uneasiness persists because the full story remains obscure. In the Oppenheimer case the difficulty lay not in the facts but, so to speak, in the law; Oppenheimer was judged by standards that none of his judges had thought through. In the Rosenberg case, the law and the facts were, comparatively at least, both clear; in the main, what is troublesome here is the ferocity of the punishment, the brutish relentlessness with which the government pursued its objective in the final days before the execution, in short the atmosphere of the tumbril rolling to the guillotine and the heads being shown to the mob.

The Rosenberg case was reviewed by two distinguished panels of the federal Court of Appeals in New York, both on the merits and with respect to certain procedural irregularities. The Supreme Court of the United States declined either to review it or to hear argument on whether or not it should review it. Finally, during the week for which the execution had been scheduled by Judge Irving R. Kaufman of the United States District Court in New York, new counsel arguing in chambers before Mr. Justice Douglas uncovered a point that no one had thought of before. It seemed possible—and it remains possible, as the point has never been considered with due deliberation—that a sentence of death could properly have been imposed in the circumstances of the Rosenberg case only upon recommendation of the jury, rather than by the judge acting alone, as he in fact did. So that there might be time to determine the validity of this point, Mr. Justice Douglas, exercising a traditional power conferred on all judges by law, issued a stay of execution. At the implacable insistence of the government—Herbert Brownell, Jr., was then Attorney General—the full Court, which had adjourned for the summer, hastily reconvened in Washington and within 48 hours vacated Justice Douglas' stay. On the night that this was done, the Rosenbergs were executed on schedule.

There is no doubt that American law condemned, and little doubt that they committed, the acts they were charged with. But they were charged with espionage in peace time, and the death sentence for such an act was until 1953 unprecedented. The impatience with which, at the last, the government rushed to carry it out was and remains abhorrent.

A Conversation With

BEN SHAHN

"We have our colleges and universities becoming patrons of the arts. . . . One has yet to see whether that has been a worthy thing—either for the universities or the artists. I get nightmares when I think that Goya might have gotten a Guggenheim."

NEXT WEEK

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A COMMUNICATION

The Forgotten Client Of the Agencies

SIRS:

THE ARTICLE by Anthony Lewis, carried in the May 19, 1958, issue of *The New Republic*, prompts me as a former member of one of "Our Ailing Regulatory Agencies" to offer a few comments of my own. Since the expiration of my term as a member of the Federal Communications Commission in 1948, I have not followed its operations closely and shall not, therefore, attempt to pass judgment upon the charges currently being brought against it. I suspect, however, that the problems underlying its operation as a regulatory agency remain basically the same.

I find myself in agreement with much that Mr. Lewis says and certainly share his skepticism about codes of ethics and like ritualistic approaches to moral and ethical problems. It requires no profound scholarship in the field of ethics to conclude that a trustee should be faithful to his trust and a lawyer to his client. It seems to me that the present need of our regulatory agencies is not more procedural reforms but more of a sense of direction and purpose. In our concentration upon cleaning them up and making them respectable and dignified, we are likely to forget what they are for and, perhaps, make them forget too. As an example, I refer to the growing tendency to look to the courts for a pattern of correct regulatory behavior.

Regulatory agencies are not judicial bodies, quasi- or otherwise, and the sooner the judicial labels with which they are so constantly plastered—and have often plastered themselves—are soaked away, the better the chances are that they will get back to doing the job they are supposed to do. The very purposes for which they were created to serve make them partisans. They were brought into being not to adjudicate the conflicting rights of adversary parties but to protect and promote the public interest, convenience or necessity. They have a "client." Courts do not. Regulatory agencies should, of course, be fair and their decisions should be based upon a scrupulous regard for relevant facts and the applicable laws, regulations and precedents. But fairness and respect for the law are not qualities to be demanded only by courts.

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The "client" of the regulatory agencies is, of course, the "public" whose interest the agency was created to protect and promote. In addition, in the case of an agency such as the FCC, it is also an administrator and guardian of public property, for under the theory of the Communications Act, radio channels are part of the public domain, incapable of private ownership, and a license for their use may be granted only after a determination that the public interest will be served thereby.

This division of the functions of the regulatory agencies into "legislative" (*i.e.* rule making) and "quasi-judicial" (*i.e.* the decision of individual cases) is a nice analytical exercise for lawyers and students of public administration, but the end result, it seems to me, serves to obscure the considerations which should be controlling in any agency's final decisions. When the FCC, for example, is passing upon the competing applications of A and B for a television channel, the problem is not one of making a fine balance between the rights of A and B as disclosed by the evidence which they have placed into the record, but of determining within the framework of the law and applicable regulations and precedents, which if either of the grants will best serve the public. It cannot, by any means, be safely assumed that the public interest will flow automatically from an impartial adjudication of the conflicting claims of would-be licensees. If an approximation of public interest is to be achieved, it seems to me, it must be consciously sought rather than hoped for as a by-product.

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The picture of a regulatory agency impartially studying the record before it, concerned only that its judgment will conform to the facts and the law of the case, is indeed an appealing one, but it overlooks two most important questions, "Who made the record, and who represented this 'public' whose interest is to be served?" If the regulatory agency becomes too "judicial," judgment against the public is very likely to go by default. All too often it does.

Again, it seems to me that the insistence upon measures to protect regulatory agencies from "pressures" is not only unrealistic but misses the point. So far as regulatory agencies are concerned, pressures are a part of the facts of life. The problem lies in their response to pressures rather than their immunity to them. They are creatures of Congress and they do not operate in a vacuum, political or otherwise, nor should they. From first-hand experience, I can testify that pressures can, on occasion, be both brazen and painful, but in my opinion an agency shielded from them is more likely to become sterile and complacent—and even arrogant—than wise and just. Moreover, all contacts are not pressures and all pressures are not necessarily bad.

Certainly, as Mr. Lewis says, "there is something wrong when we can have as chairman of an agency a man who goes around at social gatherings trying to set himself up in law partnership with men upon whose cases he is presently passing"; but there is also something wrong in the members of the regulatory agency completely isolating themselves from all contact with members of Congress or representatives of the industry they are supposed to regulate for fear that their integrity might be corrupted, or be thought to be. The wrong lies in appointing to regulatory agencies men who regard

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their offices as mere stepping stones to lucrative law practices or positions with industry.

As to the matter of political pressures, do we not have the right to assume that even a Representative or a Senator might have some awareness of or concern with the public interest? After all they have to submit themselves periodically to the approval or disapproval of this same "public" whose interest the regulatory agencies are supposed to protect. If we are to have a representative form of government must there not be some chain of accountability back to the people, and how can this chain be maintained except through the elected members of government? Even the pressures of industry have their value, for the interests of industry and of the public do not, by any means, conflict on every issue that arises, and the pressures of the unconscionable kind should, at least, serve to alert the agency to danger.

The charge that the agencies tend to identify themselves too closely with the industry they are supposed to regulate is, I think, both valid and serious. Too often it can be explained in terms of the commissioner's or board member's awareness that the support of the industry is essential to his reappointment or, if he is not reappointed, to the success of his professional life when he leaves government. But, it seems to me that this identification is more often a subconscious process of which not even the person involved is aware. The "public" is a rather nebulous affair. It consists of 160 million or so men, women and children scattered from coast to coast and busy minding their own affairs. The members of this "public" who come to Washington are more likely to be motivated by a desire to see the cherry blossoms or the other sights of interest than by a determination to assert their interests before governmental bodies. The representatives of industry, however, are constantly present because that is their job. On occasions they can be most helpful in providing information which the agency should have if it is to do its job effectively. In time the vision of the larger and more distant public tends to grow dim and the members of the agency and its staff come, without realizing it, to see the public interest in terms of the few members of the public they see and know and quite often come to like.

It has been my observation that men with a sense of direction and a feeling of accomplishment are not easily pressured or bought and, I suspect, sheer frustration is a greater "corrupter" of good government than political pressures or industry favors.

In conclusion, I come to the problem which makes all I have had to say as unrealistic as the talk about procedural reform. It can best be stated by paraphrasing a statement from one of the dissenting opinions of Mr. Justice Holmes: "The actions of regulatory agencies are likely to be impregnated by the environing atmosphere." To expect them to rise very far above the environing atmosphere is expecting too much.

CLIFFORD J. DURR

PERSONA NON GRATA?

Protests in the House of Commons have followed the Archbishop of Canterbury's invitation to Archbishop Makarios to attend the Lambeth Conference in England this month.—News Item

THOUGH English Church and State
Their rule co-ordinate
In partnership of almost mystic unity,
The whole Establishment
Might from within be rent—
Split on the rock of clerical immunity.

The Church need not beg leave
At Lambeth to receive
A conference of clergymen gregarious,
But the State could draw the line
At asking a divine
So suspect as the Archbishop Makarios.

The shepherd Orthodox
Of Christian Cypriot flocks
The Church may greet with welcome ceremonial,
But laymen may remark,
The unethical Ethnarch
Is nothing but a mutinous Colonial.

This priest, the State alleged,
To violence was pledged,
Blessed crimes undreamt of in the English rectory,
Drilled breakers of the peace
Within his diocese,
And smuggled arms-dumps under the refectory.

And though the Church forgive
The pious fugitive,
Inviting him to sessions non-political,
As rabid pro-Hellene
And holy schizophrene,
The State abhors this prelate jesuitical.

A gesture of goodwill
To one who does it ill
Would prove the State's obedience to the Christian rule;
(And since ungrateful Turks
Threw a wrench in the works,
There's no advantage in appeasing Istanbul).

SO, though the temporal power
Could cast into the Tower
The person of the Primate temerarious,
And though it could ignore
The sanctuary door,
And apprehend the Archbishop Makarios,

So far, it gives no sign
It plans to undermine
The principle of clerical immunity;
Thus once more, Church and State
At Lambeth demonstrate
A partnership of almost mystic unity.

SAGITTARIUS

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Lebanon—Firm Allies Who Fade Away

SECRETARY DULLES' mania for "firm allies" in the Middle East rather than friendly states is the direct cause of the present civil war in the Lebanon. Lebanon may be the first victim of the Eisenhower Doctrine. In my opinion, if US troops are used to support the unpopular regime of President Chamoun and Foreign Minister Charles Malik not only Lebanon but Iraq, Jordan and Saudi Arabia will turn to the Soviet Union for support.

The Lebanon is half Christian and half Moslem. To guarantee that neither group would dominate, the country's political leaders entered a National Pact, before the first elections in 1943, which assured that each religious group would be represented in the government. The Pact also promised that (1) Lebanon was to be sovereign and independent, regardless of any plan for Arab unity that might emerge after the war; and, (2) the Lebanese Government would follow a policy of close cooperation with other Arab countries.

This being the historical setting, when Chamoun and Malik approved and adhered to the Eisenhower Doctrine *before* it was even voted on by the US Senate, most Lebanese were understandably annoyed, believing that this adherence transformed Lebanon from a bridge between East and West to a bridgehead for the West. In the Parliamentary elections held in June of last year, the US and Chamoun won 46 out of 66 seats. There is no doubt that massive amounts of foreign money—Egyptian and that of an unnamed United States agency—were spent in that election with the unfortunate result that all opposition was labelled "anti-Western."

Subsequently, thoughtful Lebanese took note of the fact that with the Syria-Egyptian merger accomplished, it took Nasser only two weeks of intense propaganda to topple King Saud. They realized that it was essential not only to avoid civil strife in Lebanon but to re-assert their "positive neutrality": survival was not possible economically or politically with an anti-Syrian policy. Moreover, as one prominent Lebanese Christian politician said to me: "We judge you on your record at Suez, we cannot afford to lead your anti-Nasser campaign when any day you may make a deal with him and leave us holding the bag."

However, President Chamoun and Malik had other ideas. Chamoun's term ends in September, but he had a sufficient majority in the Chamber of Deputies to amend the Constitution so as to permit his re-election for another six-year term. When this plan became known, not only the vast majority of the Moslems but the majority of the Christians announced their opposition.

All that was needed at that moment was assurance that the US would not intervene in favor of Chamoun. The assurance was not forthcoming, though no alternative Presidential candidate is anti-American. The Patriarch of the Maronite Church, surely, cannot be called "anti-Western," and since March he has been warning that the only logical conclusion of Chamoun's policy is civil war. Other members of the opposition to Chamoun include Christians such as Henry Pharaon, Hamid Frangieh, ex-President Bishara Khouri, Faud Ammoun and others whose only "anti-Westernism" is to believe that Lebanon to survive must remain neutral.

When fighting was touched off by the murder of an opposition newspaper publisher, the conditioned reflex of the Lebanese to compromise was checked by Dulles' conditioned reflex—sending an air-lift of arms to the Chamoun government. For every weapon we sent, several came from Syria. What started as riots became civil war. Now each jet plane, each tank, each air-lifted artillery shell makes compromise more difficult.

Chamoun needs troops, and Dulles seems inclined to send them. But with a Soviet veto blocking approval by the Security Council and the Arab-Asian bloc standing hostile in the Assembly, no UN cover is objectively possible for such US military intervention. Nor dare the stubborn Mr. Dulles follow the example of our Allies at Suez and go it alone. Chamoun and Malik cling to power today in the hope of US military intervention, but more importantly, 5,000 US citizens live in the Lebanon. Every day the fighting continues the danger grows that Communist agents will succeed in inciting attacks on the American colony. When (*not* if) such an attack occurs, there will be no alternative but to land marines to evacuate Americans. And this move will probably trigger a revolt in Iraq.

LEBANON IS THE LAND of compromise. The appointment of the head of the army, General Fuad Shehab, as head of a government of national unity in which opposition leaders would participate, and a trip abroad —rather than resignation—of the President until the end of his term, would stop the fighting tomorrow. The natural arbitrator is the Maronite Patriarch. Recognition of this fact by the US would mean that the next president of Lebanon would be pro-Western but not Western-bought. One word by the US Ambassador could accomplish this. Will he say the word?

BUSHROD HOWARD

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Mr. Knowland's Opponent

by RONNIE DUGGER

IN THE BEST tradition of San Francisco Irishmen in politics, Edmund G. "Pat" Brown came from South Market Street, the local equivalent of being born in a log cabin. His father was a gambler—ran a penny arcade with a poker game in the backroom. "A photographic studio is about the most respectable thing you can call it," says one of Brown's aides: "Have you ever seen a penny arcade where they didn't take pictures?" Brown remembers his dad as a man with a talent for playing two aces to the hilt—against three deuces. After the young Brown married the daughter of a San Francisco policeman, he says he spent a good deal of his time wondering when his father-in-law was going to arrest his father. Pat went to law school at night and in 1927 ran for the state assembly —as a Republican. He was 26 years old, and his motto was "Twenty-Six Years in the District." For such devoted presence the voters presented him third prize in the field of three. In the early thirties, having decided that the GOP was not "the party of the people," he became a Democrat.

Overhead as one enters the Democratic gubernatorial candidate's state headquarters at Fifth and Market in San Francisco is a sign half a block long, "The California School of Beauty Culture," specializing in "Scalp Treatments—Student Service." Ascending to the second-floor offices, one is met by the well-filled, sunny face of Pat and signs along the step-case wall saying, "Adamant Integrity," "Sound Judgment," "Character," "Decisive Action," "Proven Ability," "Executive Experience," "Foresight" and "Responsible." *Life's* camera last week managed to make him look like an overfed seal cursing his trainer, but he's a very nice looking man, the kind one may see of a Sunday morning passing along the collection basket in church. He makes conversation gracefully, is affable and sufficiently humble so that he has not yet quite adjusted himself to his startling 600,000-vote lead

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over Republican Bill Knowland in the California primary.

Dr. Theodore Kreps of the Stanford School of Business maintains that Brown is not "ideologically oriented." He will "back off on any issue that wins you no new friends and consolidates your enemies." Yet, Brown has advocated a state fair employment practices agency, "with strong enforcement powers," since it was first proposed in California in 1946. And though as Attorney General he had many friends among law enforcement officers, he went before a legislative committee in Sacramento to declare his opposition to capital punishment, and that wasn't the most popular thing to do. As Attorney General he prosecuted *Confidential* and *Whisper* magazines, investigated the state liquor control board administration, busied himself with juvenile and narcotics problems, and made gay old San Francisco less gay. Although it is just, therefore, to suggest that some puritan aspects of his Catholicism have conditioned his public behavior, he is not a blue-nose. And when asked about the effects of closing down San Francisco he says, "I believe there is less unhappiness and less sorrow, but I don't know. Maybe when you deprive a person of something you drive him to something else. . . . After 14 years I don't really know."

Brown and his wife, who is a Methodist, have four children, one of them a Jesuit novice. Will his Catholic affiliation hurt politically? It certainly didn't hurt him on June 3. About 20 percent of California's voters are Catholic and a source of strength no statewide candidate but Brown can call upon. At the same time, because one of the issues on the November ballot will be a proposal to repeal the tax exemption for parochial school property, Catholics, but also non- and anti-Catholics, may take a special interest in the voting.

"I don't think it will hurt," Brown thinks. "I believe it's true many Catholics would like to see a Catholic Governor, [but] in my time in office, 14 years, I've appointed a lot of Masons to high office. I've never been a member of the Knights of Columbus, never worn religion on my sleeve. I've been to many a breakfast at the First Baptist Church."

I WENT along in a car with Brown, his brain-truster Fred Dutton, and Richard Tuck, who travels with the Attorney General, as they worked through Los Angeles traffic on the way to a dinner. "Did we raise any knots with that statement about - - -", Brown was asking Dutton. Maybe so. And what, asked Dutton, about the TV hook-up? "I would rather save the $10,000 for later when we need it more," Brown answered.

I told him Kyle Palmer of the *Los Angeles Times* called him a conservative. "They may be right because you never know yourself. But no one has more consistently supported liberal programs than I have." He guessed he was really "a moderate." "You know," he said, "I don't lead the Charge of the Light Brigade. Some people have to do that. But I believe you save the elite corps till the time comes for the kill."

What issues are the voters responding to most? "The number-one issue is jobs. The people want government to stimulate jobs so that they can go to work. The average person only wants the right to work." And what would Brown do for him? There are bridges to build, he says, dams and highways; "a bold approach, something that could stimulate the economy. The freeways—before they're completed they won't handle the traffic load. I think government should make life a little more comfortable. It's an irritation every morning to go to work [on the freeways]."

His opponent, Brown has said, is "a sly Senator" standing in the "radical right"; Knowland is "cold and aloof and grim—inflexible and inaccessible," "Mr. Reaction, belligerent and backward . . . blind to practically all the progress of the 20th Century," "a spearhead of special interests," "a reverse radical riding backwards on a white charger." But what does Brown really think of Knowland as a human being? "Knowland's never been a young man, he's always been an elderly man. There is an aura of strength about him the national columnists have built up, that he will fight for his convictions, as Taft would. . . ."

Through the traffic, we saw a full-sized Brown billboard. "They left 'Democrat' off!" Brown shouted to Tuck. Dutton said the word had been on the draft: the executive committee must have done it. Brown pointed to a place where the word could be painted in. Then he noticed: "They retouched my lips—I look sensuous." We all laughed.

"Even as a youngster Knowland was the most reactionary, conservative man," Brown went on. "He never made a single speech for aiding people, helping the aggrieved or the poor or the indigent. He makes a lot of speeches about Communists, Red China, states' rights. He will fight to the death not to compel a man to join a labor union. He gets a smile on his face that's almost like a grimace—you know—Huhtf. . . ." (Brown tried to bring it off.) "Once, I tried a man for murder, and at one point I said to the jury, 'Look—he never smiles with his eyes—it's always with his mouth.' They'd look at him, you know. . . ."

Why have the Democrats been impotent in California for more than half a century? "See how much publicity you get!" Brown said angrily. "See how much publicity . . . and try to buy some TV time! Then there's the clever way they rig up Democrats for Republicans. Then they've linked Democrats to Communism. They did this with Helen [Gahagan Douglas], Jim [Roosevelt], even Sam Yorty, who was about as red as—Kansas corn. Warren made real non-partisan appointments. The people in California were voting for the man rather than the party. Then during the Upton Sinclair movement, the Olson administration, most of Olson's people were pretty far to

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the Left; they were not temperate. Olson was honest but he had a terrible administration."

(In a striking interview in the *San Francisco Examiner*, by the way, Brown said of the press: "When the history of the United States is written, the publishers who dictated political policy will be found guilty of having contributed most to the downfall of the press in America. These are strong words and I mean every one. The press should be independent of any political party. It abdicated its public function as an objective interpreter when it elected to defend its social status.")

Perhaps because Knowland so fanatically opposes recognizing Communist China or admitting her to the UN, trade with her has become an issue in California. Brown's position: "I think we must trade with the Far East—though I'm not willing to get in this Communist China thing now."

BROWN is excited by the prospect of developing the Great West. "The great resources of the Western states are not touched. We can make California the commercial center of the West. As it is now freight rates are higher; we're discriminated against—but we're developing. Golly, this arrier out here, it has everything!"

He believes it is "important that the conservative party not become more and more conservative, so that it acts as a drag on social progress; and that the more liberal party not list so far as to change progress into fickleness. . . . In the inter-councils of the [Republican] Party last fall, the ultra-conservatives were able to push aside the more modern group." As for the Democrats, he told reporters in Washington after the primary, "This may surprise you, but the Democrats have taken a long time to live down Upton Sinclair. He gave a peculiar coloration to the party. You wouldn't think it would persist as it has." Many movements and men have cast weird shadows over California politics. Brown might also have mentioned the large and lively old-age pension crusade of Dr. Townsend.

A number of California liberals do not, frankly, trust Brown. Nor do they precisely mistrust him, either. Is it that his head is shaped too much like the heads of the ordinary ruck of men, that he does not respond mechanically to the liberal clichés? During lunch at Berkeley one professor remarked, "I have never heard anyone call him a left-winger," and another added, "or any kind of winger." They thought of him as "O'Flannel Mouth" playing Hamlet. One of the tougher idealists in the labor movement—still resenting, for one thing, Brown's refusal as Attorney General to forego an eventually successful court appeal holding that Newspaper Guild members could collect unemployment insurance while getting severance pay—says "his backbone's a pillar of jelly."

California's Democratic National Committeeman, Paul Ziffren, says that in 1950 Brown was elected Attorney General "by running with Republicans." A prominent Democratic official in Los Angeles complains that when Roosevelt and Douglas were on platforms with Brown that year, "he never even acknowledged them. It was a lone wolf sort of thing. Everybody always talked about that. He did it constantly." But most of these critics allow that he has "grown greatly" since then, although one of them said to me: "We have no leader. Pat isn't and never will be. . . . Brown is not forthright on the issues. . . . He's not *strong*."

But the candidate, who worked hard as Adlai Stevenson's state chairman and was head of the California delegation to Chicago in 1956, says of his campaign, "I'm unifying the Democratic Party in the state. I'm posing with Democratic candidates wherever it may be. Warren, you know, wouldn't pose with anybody, but I'm posing with everybody." Perhaps the fact that posing with Democrats is so on his mind explains something about the wariness of the party regulars.

Although he can make conservative speeches to business clubs ("the giant corporations . . . are the basic generators of our present economy") Brown's program includes special incentives to small business; defense of the consumer against loan sharks, high utility rates, and rising prices; a fair employment practices agency with enforcement powers; protection of the union shop; more state money for classrooms and teacher pay; and a program to end water shortages and flood dangers.

Franklin Williams, West Coast director of the NAACP, thinks that "the guy is 120 percent" on civil rights. Brown publicly disapproved of the shoving around of Japanese-Americans after Pearl Harbor; when he told a carmen's union that their barring of Negroes was unconstitutional, they fired him as their lawyer; when he was San Francisco district attorney in 1946 he put a Negro and a Chinese on his staff, then "unheard of." When a hotel refused a room to a Negro traveling with him, the Attorney General said all right, put an extra bed in my room; the hotel yielded. When he refused to go to a national convention of attorneys general at the

The 30's—Keys to the Kingdom

Dr. Townsend

Upton Sinclair

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Camelback Inn in Phoenix, Arizona, because it catered to "gentiles only," the convention site was changed.

Loren Miller, counsel for the NAACP in the Los Angeles region and a personal friend of Brown's believes he is "the same kind of person on this as Mennen Williams and Harriman; he is this new kind of Catholic whose conscience is touched by this—who reads the encyclicals—whose position is rooted in his faith. . . . He goes beyond making mere affirmations." It surprised no one then when Brown recently told members of the Negro press he thinks the Democrats should take a Truman-type stand on civil rights in 1960 and wave off the South if need be.

I asked one *liberal* in California why, since most of Brown's positions are liberal, he is not accepted as a full member of the tribe. His reply: "You're never quite sure where he's going to end up on an issue. Although he's alway on the right side, you're never quite sure how he got there. You ask, 'Where is the big money? Where's it coming from?' O.K. Brown's getting a lot of it—a lot. Liberals being the kind of people they are, they're suspicious of it."

Dutton says Brown has not received any union money; Neal Haggerty, the AFL staff and political action chief in the state, says, "I don't know as he needs any sort of financial support from us." Brown's money has been coming from professional people, farmers in the valleys who haven't been active in politics in years, independent oilmen like Ed Pauley, Democrats in the movie colony, San Francisco restaurateurs, even the Bank of America—"all sorts of people I never heard of," one Brown fund-raiser said—plus the bread-and-butter supporters—trucking, savings and loan, insurance, and other state-based industries which have a lot to gain or lose by what happens in Sacramento. Whatever financial problems Brown may have had vanished with the primary returns.

I asked a "pro" in Brown's Southern California headquarters (the campaign has plenty of them—profane and overstuffed) why he had left a good job to work for Brown. "He's a winner! he said, not smiling. I thought perhaps he was joking. 'He's a *winner*," he insisted. Many of the aides seem otherwise motivated. Dutton—a jaunty, sacky-tweed, Eastern-style intellectual, rational, swift, sure about limits and lines of duty, and exceptionally lucid—is fairly firmly in control.

Some of Brown's qualities—his pedestrian way of speaking, the means by which he has reconciled antithetical elements in his coalition—were highlighted in Los Angeles when he addressed the clothing workers in the afternoon and the clothing weavers in the evening.

His handlers are upset that afternoon because they have been boxed into going out to the Sidney Hillman Labor Center. Waiting in an office for the crowd to gather, Brown wants to know "how many." About four or five hundred many, as it turned out: New York accents, veterans of picket lines and boycotts. Brown is introduced and briefly applauded; about a third of the people stand up hesitantly. Reading in a strong, grainy voice, he says, "I know that I'm gonna be the next Governor of the State of California;" there is fast-clapping applause from a few directions. The leadership in Washington and California is derelict, says Brown, but he isn't going to wait around for them; *he* would act. Why, "I was up in the lumber company," he stumbles . . . "in the—the lumber country in the North, and . . ." There are a few snickers. By this time Brown has tuned in on the idea that he is not with it. He brings up unemployment. "The President says 'Buy Now,' Senator Knowland says 'Buy a New Auto' the same day the *Wall Street Journal* reports auto repossessions 87 percent higher than last year, an all-time high. How in the world can a person who's just had his automobile repossessed buy a new one?" They liked this. He called for more public works. China and Russia are driving ahead while "we're standing still—and with people out of work." They applauded vigorously. As for Knowland's right-to-work campaign, "It's absolutely phony. It's back to work that we need." With this Brown stops; he has identified with them; he is ahead; it is time to quit.

In front of the swank Beverly-Hilton in Beverly Hills in the evening, green-uniformed porters direct the flow of long shiny cars into this lane and that. In the lobby the sleek people arrive in twos and threes; a little self-occupied but pleased-to-be-here, well-off; they stand about in the lobby telling each other they look wonderful, which they do. "Why are we standing here?" bubbles a middle-aged girl in her sack dress. "We're gonna go buy something—Hah! Hah!" and off the ladies go to the glass shops at the far side of the lobby. But over there is a quiet aging couple, his white hair not quite combed, the sports coat too loose, and her plain blue coat: the $100 for the night's tickets may have hurt them. In the thick of people pushing toward the door a man says, as might an angry General, "It's a battle between the left-wingers—'n' *we're gonna* whip 'em" Up ahead a man says "You've got to learn about this John—you've got the right religion—now all we need is you to take up the right politics."

Inside the pink-hued banquet hall a girl sings the Star Spangled Banner and Conrad Hilton leads the pledge to the flag (and is commended by Georgie Jessel for "his most articulate reading of the pledge of allegiance"). Among the guests are Peter Lawford, Lauren Bacall, Joan Fontaine, Vic Damone, Tony Curtis, Mervyn LeRoy; a few labor officials, including "the uninvited president of the Teamsters Joint Council," as Jessel jokes. At the head table, quite a few appointees of Republican Governor Knight, now running for the Senate; the local head of the NAACP, and so on. N. R. Dumont, president of Dumont Aviation Industries is also present.

It is like a night club show: there is a piano recital,

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Peggy Lee sings "Life's for Living and Love's for Givin, Live It Up, Yes, Live It Up Live Live Live. . . ." About 10 o'clock we are told where Brown was born and practiced law, how many votes he received in 1954 and that he founded a summer camp movement for underprivileged boys. It had been a long wait but here is Pat Brown. "I really feel that I, a Democrat, have arrived when I can have this many people at a $100-a-plate dinner," he tells the 1,500 or so guests. "For the benefit of some of those here I ran for the Assembly as a Republican." "I genuinely enjoy people, separately and together." "I like to think I have helped to improve and lighten some others' problems." "I have always felt Earl Warren did as good a job as any man I have had the personal honor to know in meeting California's basic needs. I believe that his was the kind of balanced progressiveness Californians want." And with this Pat Brown suddenly sits down. Dutton's long-labored-over speech perishes, unpronounced.

The next day Ziffren has to fend off angry party regulars: the tilt-nose set has been acknowledged, but Brown had failed to read a wire from Democratic Senate candidate Clare Engle; not a single Democratic candidate had been mentioned or introduced or sat at the speaker's platform—except Brown. Thus has he come to terms with miltant liberals and unionists, and his determination to appear in the voter's mind as another Earl Warren.

A measure of his success in shattering California Republicans is the fact that Knowland, Nixon and other GOP California politicians in Washington now are threatening Republican Senatorial candidate Knight with dire consequences (such as refusing to distribute his campaign literature) if he doesn't overlook the blood he's still coughing up from the beating they gave him last spring and help elect Knowland Governor. Knight says he differs with Knowland on right-to-work and will have none of it. Goodie, after all, did tell the AFL convention last year: "No man with a reputation for belligerence, either in international affairs or domestic affairs, no matter how principled he may be, is a safe man for executive office in the federal government today, and he is equally unsafe to be entrusted with the Governorship of California." But Knowland is a hearty campaigner and, with Nixon at his side at last, says that the primary in which he trailed by 600,000 votes was a mere skirmish. To which Brown replies, "If it was a skirmish, I wonder what Napoleon called Waterloo." And, with *Time* suggesting that Knowland resign as Senate Minority Leader, things look brighter than ever for Brown.

Brown has "irrevocably" agreed to serve four years as Governor, if he wins. But what then? "No one, in any walk of life," he said in 1956, "can come anywhere near experiencing the thrill, the satisfaction, and the ego-buildup of a top echelon public servant or administrator. It's the greatest life in the world!" He is not likely to retire. He has chosen as his model another Californian who started as a middling liberal and became Chief Justice of the United States.

Whatever Brown's ultimate fate, if he wins this November and carries with him into office the second-stringers on the Democratic ticket, California will have firmly put aside her 50-year tradition as a No-Party state. Nothing will be the same thereafter—not for Brown, or the Democratic Party, or Knowland, or Presidential aspirant Richard Nixon.

This is the concluding part of MR. DUGGER'S *special report on the California political scene.*

After the West Surrendered

A Prophecy by Louis J. Halle

WESTERN intellectuals had for years been pointing out that, since atomic weapons had made recourse to war suicidal, all the old methods and vocabulary of power politics had become obsolete. The threat of war could no longer be used in the atomic age as an instrument of national policy. Arms races and the creation of "positions of strength" were madness. No longer was there any alternative to peace. The governments were therefore urged to set the good example by disarming, or at least by giving up, nuclear weapons before it was too late.

But the governments, still operating in the old mental grooves, continued to talk about re-establishing "balances of power," filling "power vacuums," and meeting Soviet aggression by "massive retaliation." They continued to proclaim policies of military "containment" and "deterrence."

Few of us in the late 1950's and early '60's thought the day would ever come when these same governments would wake up to the new facts and adopt the enlightened policies that were urged upon them. But we could not have foreseen the crisis that led them to do it. The

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LOUIS J. HALLE *wrote three weeks ago for this journal on "How Peace Came at Last." He is the author of many books on foreign affairs. The latest is* Choice for Survival.

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general belief is that the hydrogen bomb which exploded in the Soviet Zone of Antarctica had been planted by Moscow, though no information on its origin has ever transpired. Less than two hours after the explosion, Premier Nikita Khrushchev of the Soviet Union announced that the Soviet nuclear retaliatory forces were in a state of instant readiness, and that "the Western centers of imperialist war-makers" (a term that was never clarified) would be instantly destroyed if another explosion took place. To this he added a demand that the West immediately cease all testing and production of nuclear weapons and missiles, that it dismantle all the weapons and missiles in its stockpiles, and that it deposit the fissionable contents of the weapons at the bottom of the ocean or in the Antarctic under circumstances to be agreed upon. At the same time an article in *Pravda* by Senior Technician N. V. Manshikov reported that the missiles which defended the Soviet homeland were already aimed at the major Western centers on every continent, ready for the button to be pressed, while the anti-missile defenses were such as to assure the safety of all Soviet cities and bases.

The immediate consequence of Moscow's ultimatum was a wave of public demonstrations for peace and nuclear disarmament throughout the non-Communist world. The demonstrators invaded government offices and legislatures, chanting "Ban the Bomb!" and "We Want Peace!" — displaying banners that read: "Down with NATO Aggressors!" or "Stop Hate Propaganda!" The legislators, caught up in a tidal wave of public opinion, joined in the demands of the demonstrators, and it soon became evident that the governments would not be able to resist.

Only the President of the United States had it in his power to restore calm, and there was only one way for him to do it. In a half-hour broadcast he announced that the governments of the United States and Great Britain had agreed, and had just informed the other NATO governments, that in order to remove forever the threat of nuclear war which had so long hung over mankind they were renouncing nuclear weapons altogether and would proceed forthwith to the dismantling of their stockpiles. The Soviet Union, he pointed out, would no longer have reason to maintain a nuclear military establishment herself, and he was confident that she would follow the Western example. He proclaimed the beginning of the new era of peace, the era in which mankind would no longer live in terror, now that the danger of nuclear war had been ended for all time.

For more than a month after the broadcast, while the process of dismantling the Western nuclear establishments was being accomplished, relations between the Soviet Union and the West were conducted with unprecedented cordiality. Although there was no lack of problems and difficulties, none of them seemed insurmountable in the friendly atmosphere that now prevailed. Military men agreed that it had become pointless to maintain many of the West's conventional forces, which had a strategic purpose only as long as they were backed by nuclear power. Consequently, plans had to be made for the orderly readjustment, reduction and eventual dissolution of the NATO forces, and of various components of national military forces on land, on the sea and in the air.

Among the problems that had to be faced at this time was that the French Government, still living in the dreamworld of the past, continued in its determination to reassert the ancient greatness of the nation by making it a nuclear power. Two days after the President's broadcast, France announced that it had not been consulted on the Anglo-American move, that it was not bound by that move, and that it was continuing with a lofty determination worthy of the national spirit to carry out its plans for testing and developing nuclear weapons. There were anxious consultations between the Americans and the British, Anglo-American approaches to the French, Anglo-American approaches to Moscow, and proposals for cooperation between "The Three U's" (US, UK, USSR) within the framework of the United Nations to frustrate the French program. But the French were unmoved and the Russians seemed surprisingly indifferent.

Six weeks passed, during which the Anglo-American disarmament was largely completed and negotiations in Moscow gave promise that the Soviet Union would follow suit. At the end of this time, without any warning, Moscow delivered an ultimatum in Paris. Denouncing the French nuclear program as an intolerable threat to all peace-loving peoples, the Soviet note said that unless that program was abandoned within 48 hours the Soviet Union would take whatever measures the situation required. A partial Soviet mobilization was announced. Moscow demanded at Vienna and Bonn the right of free passage for its troops through Austria and Germany in case of French failure to comply. The Soviet Minister of Defense stated publicly that, while no need to use nuclear weapons was anticipated, the people of the Soviet Union were always prepared to use all the weapons at their disposal for the defense of peace and freedom in accordance with the basic principles of Marxism-Leninism.

This was the first and greatest shock to men of good will throughout the world. Once more magazine articles and editorials appeared, pointing out that the world faced an unprecedented crisis and demanding a new kind of imaginative political leadership capable of dealing with it. They asserted that mankind stood at the crossroads. They called for constructive action and bold initiatives. More specifically, the governments were urged to "wage peace." Many writers even called for a conference "at the Summit."

The French were the only people to remain thoroughly calm. Remembering their experience of foreign military

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occupation, they acceded in a spirit of Gallic irony to the Soviet demand. And they were the only people who did not show surprise when Moscow followed up this retreat by requiring guarantees against any renewal of the French nuclear threat—guarantees that included adequate Communist representation in the French Government.

ONE consequence of these developments was the spectacular growth of the Communist parties throughout the non-Communist world. Everywhere people who had political ambitions saw that the Communist parties, enjoying the favor of Moscow, held the keys to the future. They felt that their own contributions to the salvation of mankind could best be made in the context of political strength and security which the Communist parties represented.

In the United States many persons who had been associated with the defunct movement called McCarthyism now felt at home again. The ex-anti-Communists, including the ex-ex-Communists, testified publicly to the sinister nature of the anti-Communist conspiracy. When American Secretary of State John Foster Dulles said that he would not turn his back on the memory of Joe McCarthy he was almost driven from office by the ensuing clamor.

I need not report all the details of what happened: the last convulsive efforts of the government in Washington to deal with the resurgent American Communist Party, the swift and decisive Soviet intervention to protect American Communists against the "third degree" methods of the capitalist police. Nobody, a few months before, would have believed that in so short a time the sight of Soviet warships on courtesy visits in American harbors would have seemed so commonplace.

We can now see how inevitable it was that the American Communist Party should have had to undergo a considerable transformation in order to adapt itself to the responsibility of absolute power in the United States. At an early stage it was evident that it would have to change its name, since years of capitalist imperialist indoctrination had made the word "Communist" abhorrent to many of the American people. So the party, displaying the tactical flexibility advocated by the revered historic figures of Lenin and Browder, changed its name to "The Popular American Party."

Basing itself on the writings of its two chief intellectual forerunners, T. Jefferson and A. Lincoln (whose dialectic American materialism had hitherto been maliciously misinterpreted by un-American imperialist elements), the PAP embarked on the first of a series of stages toward the initial achievement of what it was decided not to call "Socialism" but "The American Deal," under which the last remnants of the old imperialist elements (represented by George III) would be eliminated in accordance with the principles which Jefferson, Lincoln and Browder had set forth.

Corresponding transformations were found necessary, eventually, in what came to be The Royal Communist Party of Great Britain, and in other national Communist parties the world around. Inevitably, these diverse tactical adaptations to diverse cultural situations imposed the severest strains on the international solidarity of the Communist movement. For a time Moscow followed the policy of working behind the scenes to prevent deviationism from passing over to revisionism, while maintaining its authority by giving its approval to what it could not prevent. But Peking, ideologically more militant, made an issue over certain deviationist developments in the American and Commonwealth parties especially, thereby forcing Moscow's hand.

At last it became impossible to disguise the cleavage that had come to divide the Communist world into two camps, that of the "Old Communists" in Moscow and Peking, and that of the "Free Communists" under the leadership of the United States.

The issue of Formosa was what finally brought all these developments to a point of crisis. Although the Chinese People's Republic had taken over the island a year and a half earlier, separatist tendencies among the native Formosans, promoted by the Japanese People's Party of Celestial Communists, had caused steadily increasing difficulties. Meanwhile, Japanese Communist scientists, working in secrecy, had been developing a new and simplified technology for the mass production of fissionable materials and nuclear bombs. Now, as what came to be called "Cold War II" developed, as tensions rose, secret arrangements were made through the fraternal association of the Celestial Communists and the PAP for the United States to receive nuclear weapons of its own. In exchange, the US supplied the Japanese with submarines and Polaris missiles which it, in turn, had been secretly manufacturing.

WHEN the crisis over Formosa finally came to a head the United States was able to announce, at the Twenty-fifth Party Congress in Omaha (boycotted by Moscow, Peking, and their satellites), that it reserved its freedom to engage in massive retaliation, at places and with means of its own choosing, for any aggression by the Moscow-Peking Axis against any part of the Free Communist World. The Prime Minister of the Indian People's Republic made a speech before the People's Parliament in New Delhi in which he denounced the formation of power blocs and said that India would not join either of them. Yugoslavia associated itself with the Indian position. Enlightened opinion in the Western capitals pointed out that power politics had become obsolete in the atomic age, that there was no longer any alternative to peace. They urged that their governments set the good example by . . . : *Da Capo*

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BOOKS & COMMENT

The Algerian Inquisition

by Percy Winner

BY the standards and values of Western Christian society, physical and mental torture of human beings to make them confess alleged crimes or to betray supposed friends or accomplices is an obscene horror, no matter for what purpose it is carried out. *The Question* by Henri Alleg is a short book about the manner in which he, the editor of a Communist newspaper in Algiers from 1950 to 1955, was tortured during the month of June, 1957, at el-Biar in the suburbs of Algiers by paratroopers of the 10th Parachutist Division of the French Army, under the command and on the orders of Brigadier General Jacques Massu.

The Question, by Henri Alleg (Braziller; $2.95).

In France, both the book and a magazine article about it by Jean-Paul Sartre, which appears in the American version as an introduction, created a political sensation; newspapers which referred to the book or article or quoted from them were suppressed and then, as the book itself became a best-seller, it too was banned—in the first police action of its kind against a book by a French republican government since the Revolution. Outside France, the book and fragmentary information about it have created a moral sensation and become part of the widespread moral condemnation of recent French Governments' methods of seeking to suppress the armed rebellion of a part of the Moslem population of Algeria against French colonialist practices and on behalf of independence for Algeria.

The facts set forth in the book are revolting; the attitudes and reaction to the facts are often noble and inspiring. But the value and importance of the work do not lie in its role as a shocker. Much as the agony of Algeria became in recent months the tragedy—and conceivably, the opportunity — of France herself, the book is significant not only as a tract about fiendish torture and the way a single brave man was able to muster human and moral resources to resist its purposes; it is also meaningful as a provocative comment on the torment of France, on the degradation of similarly brave Frenchmen, and on the effect—in hope or despair—which that which Dante called *l'andar al cupo*—the going down to the depths—can have both on France and Frenchmen.

The title of the book refers to the practice of the Inquisition of putting men to "the question" so that they might make the *auto da fe*—the act of faith; and also to a similar practice under the *ancien regime* in France to obtain confessions from alleged wrongdoers. But the Inquisition was Spanish, Portuguese, Italian, not French; the Moscow trials and their brainwashing also were not French; torture for political ends, as used in the Western world, spread from Russia and Germany but, until recently, not France. In general, the French have been the victims rather than the victimizers of the terrorism and torture which have become so horrible a feature of our time. In fairness, therefore, Alleg's *The Question* and Sartre's magnificently eloquent interpretation of it need to be put in perspective.

ON NOVEMBER 1, 1954, the "Voice of the Arabs" radio station in Cairo broadcast that "Algeria today undertook a grandiose struggle for Freedom, Arabism and Islam." The uprising in Algeria which had been sporadic became international, organized, a true civil war. There is no possible doubt that in the course of the "heroic and glorious struggle," the FLN (*Front de Liberation National Algerienne*) and its sponsors and supporters in Nasser's Egypt ordered or condoned wholesale and atrocious terrorism, often too dreadful to be described to an American public—the smashing of heads of infants against walls, the disemboweling of women, the emasculation of living men —and these are not the worst examples. On the other hand, the European Algerians—or a minority of them—who had resisted giving the Moslems not only freedom but merely legal equality and minimal economic justice, resorted to counter-terrorism.

On January 7, 1957, on the eve of an insurrectional strike ordered by the FLN, Robert Lacoste, the French Resident Minister in Algeria, "delegated" through the Prefect of Algiers "to the military authority, with the responsibility for the maintenance of order, the police powers normally assigned to the civilian authority, as well as the special powers granted by the Decree of March 17, 1956." The military authority was in fact General Massu who, later, was to provide the military impetus to the political movement which brought General de Gaulle to power in Paris. Massu, an efficient man and professedly a deeply religious one, set out to destroy the FLN's terrorist networks in Algiers; in fighting the evil of civil war, he also fought the devil and he used hell fire—torture. There are stories that he appealed for solace to the Roman Catholic hierarchy in Algiers; they can be dismissed as apocryphal, although Massu may possibly have gone often to confession to seek to relieve himself of a terrible burden of guilt.

MASSU justified the use of torture by the need to get rebels to betray—and quickly—other rebels. Paul Haag, French Councilor of State, and member of the Commission of Safeguard of Individual Rights and Liberties, which investigated abuses in Algeria, commented: "It must be honestly recognized that brutal interrogation methods . . . are clearly more effective than those authorized by the rules." With torture, Massu succeeded; within a year, FLN terrorism was destroyed in Algiers. But his success as an executioner, (acting, it must be stressed, on the orders and with the authority of his superiors, General Raoul Salan and Lacoste), was a failure for France.

The notion that Frenchmen did not

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know that torture was used by the French authorities in Algeria is as unsound as that Germans did not know of the extermination camps under Hitler. But *The Question* offered proof; it confirmed evidence which had come almost entirely from Catholics, persons like the Abbé Barthez and Nelly Forget, who had suffered not simply as Christians but on behalf of the sacredness of the human person of Moslems too. And it proved that not only Frenchmen, but the supposedly clean, decent young men of an elite military corps of Frenchmen, were the torturers. After all, as Sartre points out, they were not conscripted to martyr a defeated enemy. Hence, the victim and the executioner merge into the same figure: a figure in our own likeness—it can happen to anyone; the best of us, decent humane persons, can become our own executioners—unless we protest and act upon our protest. "Torture is a plague infecting our own era" —and the grim message of this book is that it can be French, indeed of the best of the French, as well as Spanish, Russian, Hungarian, Egyptian—and let us not forget—Moslem Algerian.

Alleg was not a terrorist; he was a French Communist; and another lesson of his book (as of most previous ones on the same subject) is that, ultimately, torture does not succeed: neither was he "broken" nor was the movement for Algerian independence broken. On the contrary, the effort by the young paratroopers to unman men like Alleg, the effort to destroy his human qualities, hurt them as men and impaired their value as soldiers. As Alleg says, a place of torture for Algerians was a school of perversion for young Frenchmen. It is to be hoped that the author is right in saying that "the Algerians do not confuse their tortures with the great people of France, from whom they have learned so much and whose friendship is so dear to them." It is a good sign that a protest against the seizure, in France, of the book was signed by men as varied in their political creeds as Sartre, Roger Martin du Gard; François Mauriac, and de Gaulle's Minister of Information, Andre Malraux.

Incidentally, since it is to be hoped that the book will be published in many editions, the publisher should note that every single footnote contains an error of fact.

Turgenev Among his Enemies

by Joseph Frank

THESE so-called literary reminiscences of Turgenev are, in reality, a series of articles written by the novelist on various occasions; and most of them are not literary at all. Aside from Turgenev's portrait of the Russian critic Belinsky, his introduction to his own *Fathers and Sons*, and thumbnail sketches of Gogol, Pushkin and a host of minor Russians, the bulk of these reminiscences are of more political than literary interest.

Turgenev's Literary Reminiscences, translated by David Magarschack with a prefatory essay by Edmund Wilson (Farrar, Straus and Cudahy; $5).

The present volume is also preceded by two introductions: Edmund Wilson's recent lengthy *New Yorker* study of Tugrenev, and, in the place of scholarly notes, a factual commentary by the translator David Magarschack.

Mr. Wilson's essay on Turgenev, written with his usual suavity and grace, adds another to his impressive list of psycho-biographical studies. But though Mr. Wilson makes very skillful use of the available literature on Turgenev, his sketch of Turgenev's career hardly contains any new revelations. Beginning with a vivid portrait of Turgenev's perversely cruel and ferocious mother, who took full advantage of the despotic powers allowed her by the Russian serf-owning system, Mr. Wilson infers that Turgenev's terrible memories of his early life account for what Henry James called the "atmosphere of unrelieved sadness" in his works. Nothing in Turgenev's comfortable and successful existence seemed to justify this gloom; but he could never shake off the weight of these early years. This explanation of Turgenev's temperament, and his ambiguous love-hate relation to Russian life is very perceptively explored; but Mr. Wilson is less successful in using this psychological schema to interpret Turgenev's literary themes.

FOR one thing, as Mr. Wilson implicitly recognizes, this schema is strictly applicable only to Turgenev's shorter and less important works. For another, a psychological and biographical approach even here does not yield any illuminating results. Turgenev, as Mr. Wilson justly observes, was "the expert detached observer rather than the searching psychologist of the phenomena of Russian life"; his forte lies "in the invention of social types"; indeed the genius of Turgenev is precisely to have transmuted his personal obsessions into relevant social symbols. And if Mr. Wilson had concentrated his analysis on showing us exactly how this was done, he might have made a really major addition to Turgenev criticism.

As an example of such transmutation, we may take Turgenev's notorious un-masculine passivity and desire to be dominated by a strong-willed woman. Male weakness and impotence is thus one of the recurring patterns in his work; and it is fascinating to see how skillfully the same theme is used in different works for different social purposes. In *Rudin*, a crucial episode of the book is the failure of the title character to respond to the passion aroused in a young girl by his eloquence. But this failure is not only personal: Turgenev

Alberto Moravia's great new novel TWO WOMEN

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turns it into a social symbol of the plight of the Russian "superfluous man," the idealists of the Forties, whose tragedy was the disparity between the loftiness of their ideals and the stifling system of official oppression which broke their spirit and their will.

IN *Fathers and Sons,* the use made of exactly the same motif is even more subtle and effective. The crux of the book lies in its revelation of the ultimate human insufficiency of Bazarov's doctrines. Face to face with representatives of other social groups, Bazarov's aggressive vigor gives him the upper hand; but his doctrinaire rationalism and materialism, which reduces all human experience to reflexes and chemical combinations, has no room for anything as sentimental and vaporous as love. What inwardly destroys Bazarov is his failure to master his feelings for the cool and self-possessed Madame Odintsov. In his own way he is just as false to his ideals as Rudin; and this falsity arises from his weakness and inner impotence in relation to a woman.

Turgenev's literary reminiscences were written at a time when he was under furious attack by the radicals both for *Fathers and Sons* and for *Smoke*; and they can by no means be taken at their face value. Turgenev did not have the temperament of a fighter. His response to opposition tended to be feline and insinuating rather than straightforward and hard-hitting; one can almost see him purr, in his article on Belinsky, at the very moment he is sharpening his claws to strike. Sometimes, as in what he says about *Fathers and Sons,* he tries to avoid a fight altogether by adopting a tone of aggrieved innocence. Turgenev's verbal animadversions on the Nihilists were well-known in Russian literary circles, and his attempt to duck and dodge between the flying brickbats aroused amusement, incredulity and—in the case of Dostoevsky—furious anger.

BOTH Mr. Wilson and Mr. Magarschack compare Dostoevsky with Turgenev at one point or another in the book, and both range themselves unhesitatingly on the side of the latter. One can certainly understand and sympathize with this preference: the humane, liberal and tolerant Turgenev is far more congruent to Western sensibilities than the impassioned and fanatical Dostoevsky. It is worth making the effort, however, to understand both the limitations of Turgenev's sweet reasonableness and the depth that moves us in Dostoevsky's passion when we come across it in his novels.

NOTHING can better help us to such an understanding than Turgenev's eyewitness account of the execution of the murderer Tropmann. When Dostoevsky read this article, he could hardly contain himself. "I was revolted," he writes in a letter,

> . . . by this pompous and squeamish article . . . the chief impression of the article is his terrible concern, to the point of utter squeamishness, about himself, about his own integrity and peace of mind, and that in sight of a chopped off head!

Springing to the defense of his hero, Mr. Margarschack rightly points out that Turgenev wrote the article as a protest against capital punishment; and he reproaches Dostoevsky with maliciously refusing to understand Turgenev's intention.

It is surprising that Mr. Magarschack, who has recently published a new translation of *The Idiot*, should not have thought of that book for a moment before venting his righteous wrath. Can anyone have truly read Prince Myshkin's description of the last minutes of a condemned man without understanding Dostoevsky's reaction? For we find, in Turgenev's article, that he makes only a perfunctory effort to imagine what the condemned man himself was thinking and feeling; he focuses all his attention on his own discomfort and revulsion. To the ex-convict Dostoevsky, who had himself once expected to be executed in a few moments, Turgenev's self-absorption must have seemed a monstrous display of egoism; and Turgenev's humane intentions could only have reinforced this feeling. Turgenev's ultimate argument against capital punishment, it should be noticed, is that it has no edifying effect on the spectators. Dostoevsky's argument in *The Idiot* was that no crime on earth justifies the torture to which capital punishment submits another human being. So far as society is concerned, there is no doubt that Turgenev was by far the shrewder and more realistic observer. But so far as man is concerned, there can be equally little doubt that Dostoevsky's involvement was on a nobler level of human response.

Port of Call

NOW through the lady's darkened glass
Little of Port-au-Prince will pass:
In search of souvenirs she goes
Down streets where tropic sunlight flows
Until, for him who shares her bed,
She settles on a sculptured Head
To bring back all of Haiti: friends
Will love it. (Two, could make book ends.)

Meanwhile her lord and master strays
Down what rum-ridden alleyways,
Bewildered, sweltering, and soused,
One of the damp white-collared host
In neon sport-shirt? Lo! the Head
Deep in excelsior lies like dead.

The liner sails at dawn: they catch
The last boat, with the final batch
Of tax-free items, tourist spoil,
Parakeets, perfume, baskets, mail;
While the bay rises to rejoice
In the new day, the sun's strong voice.

BARBARA HOWES

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MOVIES

God's Belittled Acre

ERSKINE CALDWELL stated in a recent interview (*Newsweek*, June 2) that he has had no disagreement with his movie-making partners about what was omitted from the film of *God's Little Acre*. To insist that he ought to have protested is perhaps a little like Abbott telling Costello, "I'm not going to let that guy insult you. You go right over there and sock him." Still one has only to re-read the novel to suspect that Caldwell is more tired today than he was in 1933, in more ways than one.

God's Little Acre (United Artists).

The enormous, rather special reputation of the novel and its fantastic sales—particularly in millions of paperbound copies—tend to obscure the fact that it is a fine book, moving, funny, spare. Readers accustomed to the blaze of Caldwell's popularity may not recall that he started as the most earnest of little-magazine writers and became one of the late Maxwell Perkins' protégés. He was a regional novelist of the Southern poor in the days before it was necessarily profitable. He has lost neither his skill nor his sincerity; his trouble is that he has had very little new to say after his first four or five books (he has published 34), so that we have come to regard him as the source of a staple product rather than a literary creator.

But neither its fantastic success nor his subsequent self-imitation can vitiate his achievement in this early book. It is one of the few modern novels I know that cut cleanly to the core of a ludicrous-tragic situation and can make you roar with laughter not after but at the same time that they wring your heart. It is possibly too heavy-handedly symbolic: Ty Ty's pursuit of the non-existent gold (the irretrievable past) and Will's struggle to turn on the power in the factory (the common man's fight to control his destiny) are such neat devices that they obtrude somewhat between us and the things they represent. But the book stands another reading better than many of the other proletarian novels of the thirties, most of which are interesting today only as historical documents. *God's Little Acre* is still moving because Caldwell's first interest was the people in a situation, not the situation or its causes and cures. A case might be made that the book's perennial popularity is a kind of proof that sex alone will not sell books. Sexier books than this one are available, but they lack its clear, almost abstracted reality and its drama.

The film, directed by Anthony Mann from Philip Yordan's screenplay and released by United Artists, skimps the proletarian aspects of the book and treats the sex in that censored, suggestive fashion which takes it out of the bloodstream of the characters and makes it a matter of Hollywood bosoms and fake fire. Of course no movie could live up to the book's sexy reputation, but the nadir of silliness is reached when, one moonlight night, bare-chested Will leans against a wall of the house and reaches around the corner to knead the hand of Griselda who leans against the other wall in her slip.

HOWEVER, as with several recent films from books and plays of stature, there have been intelligences and talents involved in the compromises, so the picture is not without some striking merits. Chief among these is Robert Ryan's performance of Ty Ty. Ryan makes him a vigorous and arresting patriarch. Grizzled, crease-necked, indomitable and loving, he might be a Calabrian peasant or an Australian aborigine, the head of any simple clan who in his thick-fingered way is trying to claw a path through which his children may follow. The scene in which Ty Ty, struck down by one son, grovels, gnawing at the dirt, while another son hugs him, assuring him of love, is not only a kind of scene infrequently attempted in a Hollywood film, it is memorable.

Another success, both more modest and more surprising, is Buddy Hackett's performance of Pluto Swint. He is not the lard-bellied, grotesque lover of the novel; he looks more like a beady-eyed platypus. Still, though too young and spry, Hackett conveys pathetically his long-suffering love for Darlin' Jill.

In his interview Caldwell said, "I'm delighted with the performances because most of the cast are from the theatre and are unspoiled by moviemaking techniques." This is confusing because the two best performances, cited above, are given by a man known principally for his film work (Ryan) and a man recruited from the stage (Hackett). It is further confusing because the two worst performances—which are fatal to the picture—are given by a film actor (Aldo Ray) and a stage personality (Tina Louise). As Will, Ray is merely a husky-voiced, tubby lump without the power to suffer or achieve, devoid of the quality of the folk-hero, the People's Man, that Caldwell gave him. As Griselda, Miss Louise is not permitted to disclose fully the only assets of which she gives any evidence.

Mann has directed the film with a keen eye for dramatic and pictorial composition, and with the aid of an excellent cameraman, Ernest Haller, he has achieved some lovely shadings in black-and-white and some telling effects in depth. For example, the scene in which Rex Ingram (too fat for a starved sharecropper) drives off the albino is photographed from deep inside the barn; Ingram is at the door, and the albino in the field beyond turns and throws a stone at him. Composition such as this is the exercise of a film's special power: a mechanical device, the camera, helps to create the writer's and actor's world. The music by Elmer Bernstein is as poor as the photography is good. It always begins with an intrusive ballad vamp, and —no fault of the composer's—it always enters at the same level of volume as the dialogue.

CALDWELL said further in his interview that he prefers this movie to the one of *Tobacco Road*. A happy ending was put on the latter which he thought quite unnecessary. Does he think the happy ending of this film is necessary? To see the holes in the fields filled in and Ty Ty plowing again, to see Pluto elected sheriff and Darlin' Jill chirping down the walk to greet him, to see Buck and Griselda blissfully reconciled, will undoubtedly please those who sit nervously through a picture in the fear that it may leave them disturbed; but these changes, though patched on with slick, opportunistic logic, are perhaps more necessary to Cal[illegible] and his producers than to other a[illegible]s of the novel.

STANLEY KAUFFMANN

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ART

History in Pictures: Lawrence and Lebrun

PORTRAIT, landscape, still-life, history —of the four great divisions of painting made when painting could still be understandably classified, only the last has really gone into eclipse with the rise of self-consciousness in art. History, once the highest form to which an artist could aspire, froze in the cold sunset of neo-classic painting, and except for a flare or two sent up by the romantics, hasn't been seen much since. Landscape, a very minor thing in history's heyday, really dominates the 19th Century through Barbizon and the impressionists. With cubism, still life takes over. From history, figure painting has emerged as a thing in itself. Those who practice it, even if they avoid the fleshpots and paintpots of abstract expressionism, rarely come to see figure painting as a stepping stone to history.

Why not? Is there something wrong with history painting? With history itself? Is there something lacking in contemporary artists?

All three, I think. As to history itself, there's just so damn much of it nowadays that the isolated glory of the historical event is impossible. The element of escapism comes in, too. Most serious abstract expressionists would agree with Sam Goldwyn's dictum, "If you want a message, send for Western Union." Art becomes the continuation of M-G-M by other means. In the old Aristotelian balancing act, the excess of a virtue becomes a vice, and the wild exaggeration of the ancient truth about art as self-contained has contributed much to the decline of history painting in the last century.

Even though the last big play history painting got was in the name of the French revolution, the actual works of David were in the old royalist tradition. Since then something new has been added to the way in which most of us look at history. The prime piece of war art to come out of World War II was probably that photograph of the Marines raising the flag at Mount Surabachi. Translated into bronze out at Arlington, the group is a monstrosity, not only because of treating bronze as though it were the pure light and chemistry of photography nor only because of the inspired idiocy of sticking a real, fluttering American flag on a real, wooden pole into the bronze hands of the figures. The conflict that tears that monument in two is the one between the traditional base of history painting, namely the view of history itself as a parade of heroes, each one pictured at the very peak of his especially heroic deed, and today's more prevalent view of history, echoed perfectly in the photograph itself, as consisting more importantly of the sufferings, endurance, occasional retaliatory action and the slow, steady emancipation of the masses of men and women.

Recently two major American efforts in history painting were exhibited. Quite different in subject, in style, even in size, they share one thing. Both are successful applications of the new view of history to the old profession of history painting. Both therefore give hope that history painting itself may be rescued from the hacks who decorate public buildings when, as happens with growing rarity, decoration is called for.

One is Rico Lebrun's monumental "Crucifixion," which, after a seven year hunt for a home, has been installed at Syracuse University. The other is the exhibition of the first 30 paintings of Jacob Lawrence's equally monumental project, "From the History of the American People."

Lebrun's "Crucifixion," in the traditional language of history painting is really a deposition; Christ is being taken down from the cross. The choice of moment is itself significant in the change in history-viewing mentioned above. The body is being passed to the ground limp and disjointed, like an awkward sack of not particularly valuable material. The executioners squat on the arms of the cross like vultures, their tools like talons or weapons against the dead body. In place of the two thieves, Lebrun places on one side the death's head figure of a mounted centurion, who seems to be riding down the traditional swooning Mary, and on the other a cock, symbol of Peter's betrayal, on the arm of the smaller cross.

The crosses themselves, and the ladders used in managing the event, are all crudely put together, in the general manner of Grunewald. The whole painting, 16 feet high by 26 feet across, is in black, white and gray, with shadow and substance both cut by light somewhat as in Picasso's "Guernica." The Grunewald and Picasso references, however, are for description rather than identification. Lebrun has salvaged one of the most venerable, most important and most dead subjects of history painting and made it pulse with new life by relating it to the history as suffering concept of his own time.

IF the final achievement is not so high, the modern view of history is even clearer in the 30 paintings by Jacob Lawrence lately seen at the Alan Gallery, New York.

Lawrence takes the story from Patrick Henry's "Our brethren are already in the field," to the building of the Erie Canal. Masses in motion predominate throughout, in clean, simplified lines and planes. As the Virginia lawyer gestures in the first painting, drops of blood and/or tiny tongues of Pentecostal flame appear from his hand. This same double edged symbol enters again and again in Lawrence's reverent and spirited account of the people endlessly struggling against tyrannies of caste or cash and steadily moving toward the west and toward democracy.

FRANK GETLEIN

Summer Schedule

DURING July and August, ***The New Republic*** will appear every other week, instead of weekly. Issues will be dated July 7, July 21, August 4, and August 18. Weekly publication will be resumed September 1.

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Notes on Contributors

PERCY WINNER was *NR's* European correspondent for many years. JOSEPH FRANK is writing a book about the Russian novelists. BARBARA HOWES' newest book of poems is *From the Cold Country*.

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Correspondence

(Continued from page 3)

spect and enjoy—but the irresponsibility and mucked-up thinking that dismay and vex me:

> We have seen literature under our own eyes become the property of old fogies and scions of the social register—something too useless for the modern world of bomb and blast.

What is the evidence for this statement? How does it fit with finding Shakespeare and Byron in every corner drugstore?

Let's take another example:

> Russia is a scientist's paradise. Because in an artless world, a world in which feeling is reserved for state occasions and wars, the scientists need not bother their heads about distinctions between good and evil, beautiful and ugly. . . .

The Bolshoi Ballet and David Oistraik come from this artless world that has just gone wild over a tall gangling 23 year old American piano player.

DAVID ELKIND

Boston, Mass.

". . . not *to enter the humanities*"

BEFORE reading Karl Shapiro's "Why Out-Russia Russia?" (*NR*, June 9), I was undecided as to which field of study I would concentrate on in college—Social Sciences or the Humanities. I am now convinced *not* to enter the Humanities.

THOMAS C. FIDDICK

Overland, Mo.

". . . *very foolish*"

KARL SHAPIRO'S article is a very foolish one and, considering the necessity for harmony between scientific progress and humane studies, a very dangerous one. He admits ignorance about the history of American education, but speaks blithely about Russia as a "scientist's paradise." What kind of a paradise did Mendelian geneticists find there? He carelessly indites "those nuclear scientists" (I think of two) who sold out to Russia because they were, as pure scientists ought to be, "incapable of making even the simplest intellectual or moral decision"; and then proceeds to list some representative guardians of modern culture and humanity. One such guardian is "an avowed monarchist"; two others are fascists; three others committed suicide. Were these poets capable of making moral decisions? Mr. Shapiro seems to prefer "breeding" and, with respect to his strictures against technological progress, horse-carts and dysentery, to the enlightened quest for knowledge which, however perverted by Russia and Shapiro, nevertheless is the only way man can find out the truths about his world and himself.

CHARLES S. BLINDERMAN

Department of English

Southern Illinois University

". . . *provinciality and bias*"

IF Karl Shapiro is an example of a modern poet, then, poets should stick to writing poetry, and not venture to express opinions about education and science, about which Shapiro obviously knows nothing. If there is any aspect of American society which is not entirely provincial, it is science. In fact, if we reject science "for being provincial, we reject the one language which has been able to draw men together. In the simplest terms, the only effective world community that now exists is the community of science." So wrote Charles Frankel in *The Case For Modern Man* and so it seems to me.

The "humane" aspects of education, lamented by Shapiro, lost their primary position because, like philosophy, they failed to be concerned with human problems, and rather became submerged in the problems of the Humanities. Science justly became important because it did successfully concern itself with human problems. The abysmal failure of religionistic societies in the past to provide man with anything more than . . . theological drivel should be apparent to all who care to inspect the record of wars, persecutions, and poverty which characterize them. . . . Scientists, on the other hand, in spite of the determined opposition of the religionists and poets (with very few exceptions), have elevated knowledge from animism and teleology to objective, verifiable, and dependable fact.

The most despicable tactic in the repertory of the propagandist, used so skillfully by Nixon, is to damn a person or idea by associating him or it with Communists or Communism. To say that Russia is a scientists' paradise is very high praise of the Soviet Union, with which I would not entirely agree because I suspect that scientists, too, value their personal freedom. But Shapiro tries to make the statement sound vile so as to discredit science. He demonstrates nothing but the provinciality and bias of his own mentality.

Scientists have no more difficulty in distinguishing between good and evil or beautiful and ugly than do poets or artists. I should say that they have less difficulty than poets in distinguishing between physical and metaphysical or natural and supernatural because scientific methodology is constantly improving whereas the method of poets and artists is the same now as it ever was.

And what a miserable array of moral deviates is given by Shapiro to represent the poets. Compared to them, scientists

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are angels personified. Even the religionists would hardly commend suicide as a respectable solution to individual existence. I doubt if such a pitiable list could be compiled from among the eminent scientists of this generation or any before us.

I suggest that the capacity of making simple intellectual or moral decisions is not clearly correlated with one's occupation, although I am not at all afraid of comparing scientists as a group with any other social caste or clique. Ideals are most often passed on from elders to children by example, if at all. Some persons, regardless of background, of course, can change radically as they mature. It is precisely the "facile dichotomy of Art versus Science" into which Shapiro would lead us by recommending that scientists be treated as second class citizens by restricting them to their laboratories. Scientists are people with a normal capacity for ambition and responsibility. I can't say that non-scientists have been extremely successful as public servants; perhaps a few scientists among them would help. I would much rather trust a trained scientist, who thinks objectively, to administer justice than I would a poet who has not been trained to think at all.

Irwin Edman in *Arts and the Man* wrote that "So far from having to do merely with statues, pictures, and symphonies, art is the name for that intelligence by which life, understanding its own conditions, turns them to the most interesting or exquisite account." So conceived, art and science have a great deal in common, for the beginning of all scientific methodology is precisely an empirical one such as implied by Edman.

LEO F. KOCH
Assistant Professor of Biology
University of Illinois

" . . . what is this social science"

EXACTLY what is this social science that Mr. Shapiro so deprecates? It is an attempt by a number of people interested in various facets of human activity to gain some real knowledge about that activity. It consists broadly in getting the facts and trying to understand the facts. Mr. Shapiro's demand that the social scientist "be heaved out with all his artificial and obscurantist jargons" and that the humanities be returned to dominance unfortunately means a return to well-phrased or perhaps not so well-phrased guess work. It is ironic indeed that a defender of modern poetry should call the social scientist obscurantist. The poet may be able to wax literary about employment in Detroit, but what he can do about deciding on a tax cut, a tax rise, or a public works program as proper policy is another question.

THOMAS LANDON THORSON
Whiting, Indiana

" . . . many allies"

IF Mr. Shapiro looks discriminatingly at the practitioners of social science, he will find many allies whom he would do well not to antagonize. And if he wishes "the humanities and natural sciences [to] join forces" against social sciences, he had best not insult the natural scientist by deeming him "incapable of making even the simplest intellectual or moral decision."

DUNCAN MACRAE, JR.
Chicago, Illinois

" . . . cobblers should stick to their lasts"

FOR A TEACHER of literature to dogmatically diagnose all poets' suicides as due to disaffection with the materialistic culture of America has aroused this reader at least to suggest that cobblers should stick to their lasts.

RICHARD BADLIAN
Boston, Mass.

" . . . fearsome clarity"

IS there any chance of getting reprints of Karl Shapiro's article? I would, if I could afford it, like a million copies to distribute among the Scythians, but would be almost satisfied with enough for a good-sized English class (60) with a few left over for some super-technicians I know.

No one has told the truth with such fearsome clarity and completeness. There is nothing to add but amen, amen, may his name be praised.

LEONARD NATHAN
Modesto, California

► *The Vicuna Business*

WHY, oh why, doesn't Mr. Adams go on television, with his wife (and dog), and explain everything?

W. SILAS VANCE
Edinburg, Texas

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